Clause 2.

DEPUTY PRESIDENT: The question is that Clause 2 stand part of the Bill

Clause 2 was added to the Bill.

Preamble.

DEPUTY PRESIDENT: The question is that the Preamble stand part of the Bill.

The Preamble was added to the Bill.

Title.

DEPUTY PRESIDENT: The question is that the Title stand part of the Bill.

The Title was added to the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I proceed now to the third reading of the Bill. There is a formal amendment to be made in clause 1 sub-clause (1). The figure has to be added at the end so that the year may be 1111. I move that the figure "1" be added at the end.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

The amendment was put to the vote of the House and was agreed to.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I now beg to move that the Bill as amended just now be passed into law.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

The question was put and the Bill was passed.

THE TRAVANCORE BOILERS BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) Sir, I beg to move that the Travancore Boilers Bill as passed by the Sri Chitra State Council be taken into consideration.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

The motion was carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The Bill has already been circulated. I do not want to take up the time of the House. I will only say that the object of the Bill is to bring our law into line with that in British India.

A. S. DAMODARAN ASAN (*Marthikara*) Sir, I would make a suggestion that, since there are no amendments we could save time by putting the whole Bill without putting it clause by clause.

DEPUTY PRESIDENT: As far as possible I want to keep the form so that some little reflection may be possible. After all we are not going to lose any time. I therefore hope that the House will bear with me in following the rule.

LIBRARY ARCHIVES Kerala Legislative Assembly

Clause 1 to 31.

The question that Clauses 1 to 31 stand part of the Bill was put one by one and carried and the Clauses were added to the Bill.

Preamble.

The question that the Preamble stand part of the Bill was put and carried and the Preamble was added to the Bill.

Title.

The question that the Title stand part of the Bill was put and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move that Bill be passed into law.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I would just draw the attention of the House to the fact that we are passing in 1111 a Regulation with the short title "Travancore Boilers Regulation of 1110." I submit that this is not in order.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I may be permitted to explain. First of all, at the second reading gone through just now, the clause containing the short title was put to the House and accepted and it is now part of the Bill. We are now at the third reading of the Bill. Mr. Asan cannot, strictly speaking, go back upon the clause already accepted And too, he cannot move any amendment now without the permission of the Dewan. All these apart, my chief objection is that, if we make any amendment, the Bill must go back to the Council because it is an amendment of the Bill, however formal and trifling it may be. Is this amendment worth enough to be sent to the other Chamber? Further, suppose this amendment is sent up and by the time the Council's acceptance is received, we have passed on to the year 1112. Are we then to make a further change in the Bill? All these will delay the passage of the Bill. So I thought that we may retain the year 1110 . it will be expressive of the year in which the Bill was passed in the originating Chamber. And after all, a Bill cannot become a Regulation until the Royal assent is received. Suppose it is received in some later year, Who will change the year in the short title? So my suggestion is that we leave the title as it is.

DEPUTY PRESIDENT: That appears to be a very important question, though it does not affect the substance of the Bill. For, a Regulation of 1111 *is* a Regulation of 1111. The Law Member's opinion ought certainly to be entitled to weight. But I wish to know whether there is any authority in support of his position as we are creating a precedent in this matter.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): After all, it is not a very important part of the Bill. It relates only to the short title of the Bill by which the Bill is to be known. It does not affect the substance of it. It is a mere name, It may be called a crow or a swan. It will be eqully operative as *law*, As you required precedent, I think that there *are* Acts with previous

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr Kayalam Paramesvaran Pillai]

years inserted in the short title. I can remember the provision in Royal Instructions given to the Ceylon Governor that an Ordinance must mention in the title the year it was passed in the Council, *i. e.*, the year in which it passed the third reading.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, what has been placed for the consideration of the House is a Bill to amend the Steam Boilers Regulation. It becomes a Regulation only after receiving Royal sanction.

DEPUTY PRESIDENT: I shall give a considered ruling later on. Until then, the Bill has to stop at this stage.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I submit that there is no point of order? It is only a clause in the Bill. It was but today that it was put and carried at the second reading.

DEPUTY PRESIDENT: To my mind there is a real difficulty. There is nothing wrong in waiting for some time at all. I shall study up the authorities. No doubt objection has been taken and the Law Member has given his opinion which normally is entitled to very great weight. But I do not propose to decide that matter until an investigation is made into the authorities. We shall therefore proceed to the next business in the order paper. I suppose the House agrees to that.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I submit that no question of order arises. I made a motion that the Bill be passed and it was seconded; and my motion must be disposed of.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Then I will oppose it. I move that the third reading of this Bill be adjourned.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I second it.

M. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose it.

The question that the third reading of Bill be adjourned was then put to the vote and declared lost.

MR. A. THANU PILLAI (*Trivandrum—Rural*): I demand a poll.

A poll was taken with the following result:

AYES—19.

1	Mr. S. Chattanatha Karaylar	10	Mr. Pacode A. Narayana Pillai
2	„ A. S. Damodaran Asan	11	„ S. Nilakanta Pillai
3	„ A. Easwara Pillai (*Kottarakara*)	12	„ Edavanatt S. Padmanabha Menon
4	„ N. Kesava Panikar	13	„ Kainikkara M. Padmanabha Pillai
5	„ Pottayil S. Krishna Panickar	14	„ V. Ramakrishna Panickar
6	„ N. K. Krishna Pillai	15	„ R. Sambasiva Aiyar
7	„ Puthupalli S. Krishna Pillai	16	„ R. Sivaraman Nair
8	„ T. Krishna Pillai	17	„ A. Thanu Pillai
9	„ K. Kunjukrishna Pillai	18	„ S. Thiraviam Nadar
		19	„ T. P. Velayudhan Pillai

LIBRARY ARCHIVES Kerala Legislative Assembly

NOES—24

1	Mr. N. Abdur Rahiman Sahib	14	Mr. C. O. Madhavan
2	„ T. K. Alexander	15	„ K. Madhavan
3	„ C. V. Chandrasekharan	16	„ P. C. Narayana Bhattatiripad
4	Dr. M. K. Gopala Pillai	17	„ G. Nilakantan
5	Mr. M. Govinda Pillai	18	„ N. K. Padmanabha Pillai
6	„ N. John Joseph	19	„ Kayalam Parameswaran Pillai
7	„ T. T. Kesavan Sastri	20	„ R. Pitchu Aiyangar
8	„ K. M. Krishnan	21	„ R. Raman Pillai
9	„ K. P. Krishna Menon	22	„ K. Sankaran
10	„ R. Nilakanta Pillai	23	„ M. Sivatanu Pillai
11	Rao Sahib Dr. N. Kunjan Pillai	24	„ T. C. Thommen
12	Mr. E. K. Kunjuraman		
13	„ K. M. Kuriakose		

NEUTRALS—17

1	Mr. V. T. Chacko	9	Mr. J. M. Joseph
2	" K. R. Elenkath	10	" T. C. Joseph
3	" Antony George	11	" K. Mahomed
4	Mrs Hepzibah Gnanasikamony	12	" P. C. Kurien
5	Mr. M. Mahomed Haneef	13	" K. A. Narayana Pillai
6	" S. J. Nair	14	Srimati T. Narayani Amma
7	" M. K. Janardana Kamath	15	Mr. K. Padmanabhan
8	" T. S. Jayanthan Namboo-tiri	16	" John Whitely Tolson
		17	" N. E. Varughese

The motion was declared lost.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I rise to oppose the third reading of the Bill. The defect has been pointed out that there is some difficulty with regard to the title of this Bill. Ordinarily when there is a Bill for which there is not serious opposition, or if it has been passed without any opposition from any side, the second and the third reading may come up in the same Session. Whatever view may be taken by the Law Member, it would be admitted, I hope, readily and in fairness, that there are two sides to this question. This is a matter that ought to be considered fully. In the matter of legislation this procedure has been instituted to see that no mistake is made on account of haste. Sir, nothing has been made out to show that this is a very urgent piece of legislation which cannot stand over for 24 hours. No such urgent necessity has been made out. The taking up of the second and third reading at the same meeting is a matter of extraordinary procedure. It may be done, provided there is no opposition. But serious opposition has been raised. Whatever be the weight attached to the opinions, there is genuine doubt on this question. Sir, I would request the Law Member that we must be given some time to consider this question. After all there must be some reality when we give assent to a Bill. We have to assent to the Bill knowing full well what we are

LIBRARY ARCHIVES Kerala Legislative Assembly

doing. I do not see why this Bill should be hurried through. Why should it not wait? I request the House to be good enough to oppose this Bill since we want to consider this matter and give a decision on this question.

DEPUTY PRESIDENT: Does the rule say that, when there is no opposition, the third reading can be proceeded with?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): No, it does not say like that. Ordinarily the second and the third reading are rarely taken up on the same day. They are so taken up when there is no opposition. Since there is opposition which admits of doubt, I think in fairness the third reading can come up only on another day.

MR. A. THANU PILLAI (*Trivandrum-Rural*): When a point of order is raised, on the decision of which further proceedings depend, can the matter be taken up before the decision of the point of order?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There is no point of order. The House just now negatived the motion for adjournment.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Sir, I oppose the Bill. We are in doubt, genuinely in doubt. This is no emergency measure. Why not the Law Member take time and consider the matter? I appeal to him to take time and help the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I shall cut the discussion short. In view of the appeal made to me, I am prepared to withhold my motion today, if the House agrees. I shall bring the motion again on some day later on during the meeting of the Assembly.

DEPUTY PRESIDENT: The point was raised some time back and I said that the ruling on that may be given later on. Afterwards the House considered the question and decided against the adjournment of the business. If the point of order arises again, I will give the ruling.

Does the House permit Mr. Paramesvaran Pillai to postpone the motion and bring it up again on a later day?

The motion that the motion be taken up on a later day was then put and agreed to.

THE TRAVANCORE LIFE ASSURANCE COMPANIES BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to move that Mr. R. Nilakanta Pillai be added to the Select Committee appointed to consider the Travancore Life Assurance Companies Bill. Mr. Krishnaswami Aiyar was appointed to it at a recent meeting. But he has since then ceased to be a member of this House. I am therefore moving that Mr. Nilakanta Pillai be appointed to the Committee.

MR. C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): Is econd it.

The motion was carried.

LIBRARY ARCHIVES Kerala Legislative Assembly